

# UNITED STATES DISTRICT COURT

## EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

BENJAMIN BRZEZINSKI(xx/xx/1973)


CASE NUMBER: 12-5m(AEG)

I, Ian House, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about April 17, 2012, in Milwaukee County, in the State and Eastern District of Wisconsin, **BENJAMIN BRZEZINSKI**, the defendant, did reenter the United States after he had previously been deported in violation of Title 8, United States Code, Section 1326.

I further state that I am a Special Agent with the United States Immigration and Customs Enforcement, Homeland Security Investigations, and this complaint is based on the following facts:

Please see the attached affidavit.

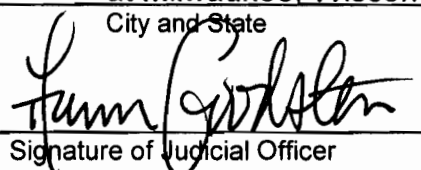
Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

  
\_\_\_\_\_  
Signature of Complainant  
Ian House

Sworn to before me and subscribed in my presence,

April 25, 2012  
\_\_\_\_\_  
Date

The Honorable AARON E. GOODSTEIN  
United States Magistrate Judge  
\_\_\_\_\_  
Name & Title of Judicial Officer

at Milwaukee, Wisconsin  
\_\_\_\_\_  
City and State  
  
\_\_\_\_\_  
Signature of Judicial Officer

## AFFIDAVIT

I, Ian J. House, Special Agent, United States Immigration and Customs Enforcement, Homeland Security Investigations, being duly sworn and under oath state the following:

1. I am a Special Agent with the United States Immigration and Customs Enforcement, Homeland Security Investigations (HSI) and have been employed with HSI since August 2008. I am currently assigned to the Milwaukee, Wisconsin office.
2. In my employment, I am assigned to investigate alleged violations of the Immigration and Nationality Act (INA), including violations, which constitute the unlawful re-entry into the United States by deported aliens.
3. This affidavit is made in support of the issuance of a criminal complaint and an arrest warrant against Benjamin Brzezinski. Since this affidavit is submitted only for the purpose of securing the criminal complaint, I have not set forth each and every fact known to me concerning this investigation. I have included what I believe are facts sufficient to establish probable cause for the complaint sought. All of the information contained herein is based upon my personal knowledge and investigation or upon information supplied to me by other law enforcement officers or citizen witnesses, all of whom I believe to be truthful and reliable.
4. I currently have possession of Brzezinski Alien Registration File (A-File), # 089 271 378. The A-File is a collection of an alien's history maintained by HSI. The file includes but is not limited to applications for residency, notice and order of removal, warrant of deportation, fingerprints, photographs, and criminal history.
5. A review of the A-File indicates that Benjamin Brzezinski is a citizen of Canada and a foreign national of Poland who has been removed from the United States on two separate occasions. Benjamin Brzezinski was expeditedly removed from the United States on January 15, 2008 through the Port of Entry at Derby Line, VT after his criminal conviction in paragraph #7.
6. On April 30, 2008, Benjamin Brzezinski, after being paroled back into the United States for his conviction hearing, was convicted in the United States District Court, in the District of Vermont for the offense of Bringing in and Harboring aliens, in violation of Title 8 United States Code, Section 1324(a)(1)(A)(ii).
7. A search of HSI records failed to show any request by for permission from the Attorney General or the Secretary of the Department of Homeland Security to re-enter the United States after deportation. In addition, HSI records failed to show any legal crossing into the United States other than as specified in paragraph #6.
8. Benjamin Brzezinski was identified and arrested on April 17, 2012 by the Greenfield Police Department pursuant to charges of identity theft and obstruction of justice. Benjamin Brzezinski was in possession of an identification fraudulently obtained from the State of Illinois Department of Motor Vehicles showing Benjamin Brzezinski's photo and another person's biographical information and supplied it to the police officer as valid.
9. I obtained the set of fingerprints that was taken from Benjamin Brzezinski on April 17, 2012 by the Greenfield Police Department during his arrest processing and the fingerprints included in the A-File, and submitted to the FBI Wire-Room in West

Virginia for comparison. On April 17th, your affiant was informed that the prints positively matched those of the Benjamin Brzezinski.

10. Based on the above information, I believe probable cause exists to issue an arrest warrant and complaint for Benjamin Brzezinski for violations of Title 8, United States Code, Section 1326 and Title 18 USC 1028A.